THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 14090 of 2007

DATE: 03-07-2007

Between :

Mohammed Mujeeb Ahmed

… Petitioner

And

The District Collector,
Adilabad District and 2 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 14090 of 2007

ORDER:

The petitioner's authorisation, as fair price shop dealer of Vempally village, was cancelled by order dated 23-03-2007 passed by the third respondent. Aggrieved by the same, the petitioner preferred an appeal before the second respondent-Joint Collector, which was also dismissed by order dated 18-05-2007. The petitioner preferred a revision petition, which is pending before the first respondent. Meanwhile, the respondents issued notification dated 25-06-2007 inviting applications for appointment of dealer in respect of the shop in question on permanent basis. Aggrieved by the same, this writ petition has been filed contending inter alia that the action of the respondents in proposing to appoint a permanent dealer while his revision petition is pending is arbitrary and illegal.

Since admittedly the appeal of the petitioner was dismissed only on 18-05-2007, against which the statutory revision is still pending before the first respondent, I am of the opinion that any appointment on permanent basis, would not only intervene the rights of a 3rd party but also affect the rights of the petitioner in case he succeeds in the revision pending before the first respondent.

Accordingly, the writ petition is disposed of with a direction to the first respondent to dispose of the revision pending on his file

as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that any appointment pursuant to the impugned notification dated 25-06-2007 shall be subject to the result of the writ petition and the pendency of petitioner's revision petition shall be made known to the selected candidate. No costs.

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G. ROHINI, J.

Date: 03-07-2007
KLP